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SPECIFIC GROUPS AND INDIVIDUALS: MINORITIES

Written statement submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 January 2000]

GE.00-10662 (E)

1. Article 27 of the International Covenant on Civil and Political Rights states: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language." According to this article, the persons belonging to minorities who - because of their national, religious or linguistic identity, ethnic group, etc. - are separate from other groups of society should enjoy special rights. These rights protect and guarantee minorities' survival, identity, stability, cultural growth and development of special talents. Meanwhile, by having such rights, the domination of one culture or imposing one special custom on the minorities can be prevented. John Stuart Mill, in his book On Liberty, stated: "... the tyranny of the majority is now generally included among the evils against which society requires to be on its guard".

2. Despite the fact that the Charter of the United Nations and the Universal Declaration of Human Rights have not dealt with the protection of minorities, because of the importance of the issue and the possible human rights violations on this ground minority-related issues were included in the agenda. In this connection, the Economic and Social Council allowed the Commission on Human Rights to issue a recommendation on minorities and to establish the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

3. On 18 December 1992, the United Nations General Assembly ratified the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (resolution 47/135). Article 1 (1) of this Declaration reads as follows: "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity." Meanwhile, the Declaration grants the following rights to persons belonging to minorities:

- The right to enjoy their own culture;
- The right to practise their own religion and to use their own language;
- The right to develop their culture, language, religion, traditions and customs;
- The right to participate fully in the cultural, religious, social, economic and public life of the society;
- The right to participate in economic progress and development;
- The right to establish and administrate their special associations and bodies;
- The right to have relations with other members of their group including citizens of other countries.

4. In regard to the protection of minorities, the Council of Europe - as one of the most important leading bodies - has taken great steps to ensure the rights of minorities by concluding the Framework Convention for the Protection of National Minorities. Expressing its concern over the realization of the general principles of democracy and accepting cultural diversity within the national territories can be considered among the Council's main motivations for

taking such a step. Although in the first article this convention states that the protection of national minorities and their rights and freedoms are an integral part of protecting human rights and are within the scope of international cooperation, the reality is very much different from what is written on paper in conventions and declarations. In the European countries, religious, ethnic, linguistic and other minorities may enjoy some of the stipulated rights, whenever they have the power or money. However, if they are not in power or they do not have the required financial resources, the governing political systems do not let these minorities fully enjoy their special rights.

5. The world has not yet forgotten the inhumane treatment by certain European Governments of Muslim women and girls who wanted to wear Muslim dress (hijab), which is an obvious violation of religious minority rights. At the threshold of the third millennium, prohibiting Muslims from observing their Islamic code of dress, imposing different restrictions for Muslims and preventing the establishment of mosques and religious schools have caused great concern over the issue of respecting the human rights standards and the special rights of religious minorities in Europe.

6. One of the most important matters, in regard to the issues relating to minorities is to observe their citizenship rights like those of other citizens living in a society. Being a member of a minority group does not necessarily mean being different in enjoying the essential human rights. During the 1990s, on the one hand, the rights of the minorities have been recognized, however, on the other hand, we have been witnessing violations of minorities' rights in some Western countries. Of course, these violations are of a global nature. In both developed and developing countries, minorities are considered as second-class citizens and their restricted and controlled activities are limited just to the social and cultural ones. The reasons for such common aspects in the treatment of minorities in the countries of the South and the North are their delay in recognizing minorities' rights and their emphasis on the cultural aspects of these rights as well as their attempt to keep minorities away from the political decision-making process.

7. It is recommended that these countries accept the principles of democracy, develop the concept of citizenship with respect to all minorities, put an end to all forms of the discriminatory approaches in regard to minorities and pay more attention to the social and political rights of the minorities living in their jurisdictions. We request the Commission on Human Rights to take stronger positions regarding certain countries like Turkey and Israel, whose behaviour towards minorities is not properly addressed in the sessions, owing to the support of great Powers in the world.

8. Turkey is among the countries in which the rights of minorities are continuously violated. For instance, the Kurdish minorities are deprived of their essential rights. In Turkish political literature, these minorities are described as "savage and fierce Turks". The continuous attacks of the Turkish army against Kurdish areas of Turkey; the compulsory displacement of Kurds to different parts of the country; prohibiting them from holding peaceful gatherings and protesting; disregarding the Kurds' culture and language; preventing the Kurds from enjoying their right to education and putting pressure on them in order to keep them away from their political and social rights, are always being condemned by organizations defending human rights. Ignoring the rights of the Kurds in Turkish society, resorting to military forces to resolve the problem,

suppressing supporters of the Kurds, and arresting, imprisoning, torturing, exiling and executing Kurdish activists and supporters are organized attempts by the Turkish authorities to gradually eliminate the Kurdish minority.

9. In the Islamic Republic of Iran, President Khatami, after coming to power, has pledged respect for the rule of law, including with respect to minorities. One of the most important measures being taken for monitoring the rights of minorities has been the establishment of a council to supervise the implementation of the Constitution. On 29 November 1999, this council held a seminar on the Constitution and the rights of the nation, in which Mr. Mehrpour, the President of the council, spoke about minorities' rights. In his speech, Mr. Mehrpour emphasized that the rights of minorities should be respected and that the Islamic Republic of Iran was obliged to respect the relevant international conventions and instruments in regard to minorities. The Organization for Defending Victims of Violence believes that stronger mechanisms should be created to ensure the rule of law, including the ultimate realization of the rights of minorities in Iran.

10. In the United States of America, the police, despite strong criticism from many human rights organizations, continue to violate the rights of migrants and minorities. According to Human Rights Watch, minorities in 14 States of the United States have been continuously subjected to police aggression and their social and political rights have been disregarded. During recent decades, along with the violation of minorities' rights, racial discrimination has also become more severe. The Black minority over the years has been exploited and is still being abused and treated unjustly. The income of the Black minority in this country is about 10 per cent of that of Whites. The rate of Black employment is about one third of that of White citizens of the same age and some employers avoid employing Blacks. Although the Black minority is about 12 per cent of the population, more than 55 per cent of the imprisoned people are Black men and women. In recent years, the Ku Klux Klan has again become powerful and once more has started to undertake oppressive policies against Blacks. During the last two years, more than 200 churches belonging to Blacks have been set on fire by certain extremist White men. The experts and defenders of human rights believe that the United States has disregarded the international instruments more than other Western countries.